

1887-016 Chancery Causes: Solomon D. Hobbs vs. John Ramsey + wife  
Lee Co.

Campbell

CA-Contract Dispute  
T-Property



To The Hon John Ashley Judge of the ~~County~~  
Court of Lu County Virginia

Humbly complaining your orator  
Solomon D. Hobbs, would respectfully show  
your Honor That some several years ago,  
our James Campbell died intestate in  
This County seized of valuable real estate  
on the 18<sup>th</sup> day of December 1877. The  
heirs of the said James Campbell partitioned  
the lands which had descended to them  
from their father, among themselves &  
kept the Mill lot and its machinery ap-  
parturances &c which was not partitioned  
so that said Mill lot & appurtenances, mill  
and machinery &c. was left as the property  
in coparcenary of the heirs of James  
Campbell deceased. One Ruth Hobbs  
was one of these heirs, of whom there was  
4. The said Ruth has since died in  
testate leaving 5 heirs, of whom Winford  
M Hobbs, is one. The said Winford M.  
~~Hobbs~~ has intermarried with one John  
Ramsey. On the day of March the  
said Winford M Ramsey by and with  
the ~~then~~ consent of her husband, sold  
her undivided interest in said mill  
lot & land to your Orator and executed  
to him a title bond binding themselves  
to convey said undivided interest in



Mill lot or parcel of land to your orator  
when the purchase money therefor was  
paid, which it is provided in said bond  
was to be paid by the 13<sup>th</sup> day of November  
1883. to which said title bond the said  
Winiford M. Ramsey & John Ramsey both  
signed their names and affixed their  
seals all of which fully appears by reference  
to said title bond which is here filed as  
part hereof marked A)

Your orator will now show your Honor  
That on the day said money became due  
he tendered to the said Winiford M. Ram-  
sey and John Ramsey her husband the  
full amount of the purchase price which  
he had agreed to pay them for their inter-  
est in said land or mill lot, with the  
appointments and demanded of them  
a deed for the same but said parties refus-  
ed to accept said deed, or to receive said  
sum of money. Your orator here alleges  
That he is now ready and has always been  
ready to pay said sum of money to said  
parties and to comply in all things  
with his contract. The interest of the  
said Ramsey & wife in said mill lot of  
land is one thirtyeth share and this  
your orator is entitled to.



Now the object of your orator's bill  
is to have specific execution of said con-  
tract and to compel the said, John Ramsey  
and Winiford his wife to convey their interest  
in said land to your orator, and being  
without remedy at law and only redressable  
in a court of equity he prays your orator  
to take cognizance of his case, and  
grant him the relief proper to his case.  
He therefore prays that John Ramsey  
and Winiford M Ramsey his wife be  
made parties defendant to this bill  
and that they each be required to answer  
its allegations on oath and that on a  
final hearing they be compelled to con-  
vey pursuant to the terms of their  
title land their undivided interest in  
said mill lot or parcel of land  
and for such other further and general  
relief as is suited to his case and as in  
duty they will ever pray, &c

Richard Duncan & Co.,

for Plaintiff.



Defts Costs

£ 893

3 1.00

JP 4.52

Const front 1.00

Defts Costs

£ 1.92

JP 7.12 1/2

<sup>12. 3. 4</sup>  
Solomon D Hobbs

vs 3 Orig Bill,

John Ramsay & wife

1884 May Bill filed

" June 24th 1884

" July 1st 1884

" continued

" Nov. 1st 1884 and

cause set for hearing

1885 Mr. Ans. filed & Court

Aug & Nov. Contd.

1886 Contd 1887 Contd

1888 ~~April~~ Contd

" Sept Decree final



To the Hon. John A. Kelly Judge of the Circuit Court  
of Lee County Virginia

The Separate demurrer and Answer of Hineford  
M. Ramsay wife of John Ramsay to a bill filed in this  
honorable Court against her and her said husband by  
Solomon D. Hobbs.

This respondent says that she has just read and  
the demurrer and Answer of her husband John Ramsay  
to the plaintiffs said bill and without repeating the  
same in this her answer, she hereby joins in the said  
demurrer of her husband, and she adopts his answer  
to said bill to all intents and purposes, as and for her answer  
in this case touching everything of which it speaks.

But in addition to what is said in said answer  
this respondent says that her Mother Ruth Hobbs  
deceased this life in the month of June 1880 and  
that it was at her death that she acquired by  
descent an interest in said Mill property.

Respondent further states that she was a married  
woman at the time of her Mothers death and at  
that time only <sup>she</sup> acquired the property in question  
and this was long after the Legislature of Virginia  
had passed the act to protect the rights of married  
women who might thereafter acquire property, as well as those  
who might thereafter marry popularly known as the  
"married women act"; and while it may be true  
that her husband undertook to sell this respondents  
interest in the said Mill to the plaintiff as stated  
by him in his answer Yet she says, that the



second section of said act secures to her beyond the control of her said husband said Mill property and she now claims all the benefit that act secures to her

Respondent further says she did not bargain or sell her interest in said Grist Mill or the Mill site to the plaintiff and she did not then know that she owned an interest in said Saw Mill, and she is advised that the manner in which her name was signed to said paper (A) as stated by her husband does not amount in law to a valid execution thereof. But if it should be considered as her act & signature, then she says that the law out of tenderness to married women will consider such act done under the compulsion and influence of her husband and that she is not in the least bound thereby.

This respondent having now answered as fully as she is advised it is material for her to answer she now denies each and every allegation of said bill not before denied confessed and avowed and she avows that the plaintiffs bill be dismissed & costs denied her

Prudence M. Ramsey for Def't

I do swear that the statements in the foregoing answer so far as much as my own knowledge are true; and so far as made on information derived from others I believe them to be true so help me God.

Winifred M. Ramsey

Subscribed & sworn to before me by

Winifred M. Ramsey the 17 of Nov. 1884

John W. Woodward J.P.



Winifred M. Ramsay

Ads { Separate Answer

Salmon D. Hobbs.

Filed in open court  
by leave thereof  
March 26<sup>th</sup> 1885  
J. A. G. Hyatt C.C.



To the Hon. John A. Kelly Judge of the Circuit  
Court of Lee County Virginia:

The Separate demurrer and answer of John  
Ramsey to a Bill filed in this Honorable court against  
him and his wife Winifred M. Ramsey by Solomon  
D. Hobbs. This respondent says that the plaintiffs said  
Bill is not sufficient in law for the plaintiff therein to  
have and maintain the same against him, and of this  
he prays the judgment of the court whether he shall be  
required further to answer the same; But if other and  
further answer be required at his hand, answering  
he says. That it is true James Campbell died intestate  
in this county many years ago, the owner of valuable  
real estate lying on Martins Creek in this county, and  
that the same descended to his heirs at law.

Respondent states that in the lifetime of said James  
Campbell, that he and his son David B. Campbell jointly  
erected a grist Mill on said Creek, and on the tract of  
land owned by Jas. Campbell, so that at the death of the  
latter, his share of said grist Mill descended along with  
his other real estate to his heirs at law.

It is also true that the tract of land owned by said Jas  
Campbell at his death was subsequently partitioned  
among his heirs at law, except the said Mill and its situation  
which was not so partitioned.

It is also true that Ruth Hobbs was one of the heirs at  
law of said James Campbell and that there were five other  
heirs. It is also true that Ruth Hobbs died about the year  
1880 leaving five children her heirs at law, of whom Winifred



Mr Hobbs was one, And it is also true that this respondent married the said Winifred M Hobbs whereby she became Winifred M Ramsey and the wife of Respondent.

Respondent states that after the death of said James Campbell, David B. Campbell his son, who at the time was understood to own one half of said Grist Mill in his own right, and one sixth of the other half by descent, made an arrangement with the other five heirs, to erect a Saw-Mill, in connection with said grist mill, and said saw-mill was accordingly erected by said David B. Campbell, and by the arrangement first referred to, said David B. Campbell, was understood to be the sole owner of said Saw-Mill: And this understanding continued to prevail until after paper (A) filed as an exhibit with plaintiffs bill, was signed by respondent in the manner hereafter detailed: And until after that <sup>time</sup> respondent always understood that the title to said Mill site was in the heirs of Jas Campbell, that the title to one half the grist Mill was also in them, and the title to the other half was in David B. Campbell and that the title to said saw-mill was wholly in the latter. But since the signing of the paper aforesaid respondent has learned that some years before, said David B. Campbell had abandoned all claim to said Mills in his own right further than such interest as he had descended to him from his father, upon the ground that he had no written contract with his father in relation to said grist Mill, or with said heirs in relation to said Saw-Mill And this being the



truth of the matter, respondent was wholly ignorant of his wife's interest in said two Mills, and the Mill site: at the time said contract was signed by him as hereafter shown.

Respondent now states that some short time before the 30th day of March 1883 he did propose and offer to sell to the plaintiff his wife's interest in said grist Mill, but not his interest in the Mill site, or Saw Mill, for as to the latter he did not know she had an interest therein, and he communicated to his said wife the fact of his said offer of sale, whereupon she neither dissented or assented to <sup>such sale</sup>. And at a subsequent time respondent did agree with the plaintiff to sell his said wife's interest in the grist Mill for Ten dollars: but not his interest in the Mill site, or Saw Mill:

On the 30th of March 1883, the plaintiff came to respondent's house and informed him that he had come to close the contract, and produced the paper filed as exhibit A-1 with his bill, and respondent without reading it which he could have done, and relying on the plaintiff as a fair man, and one that would take no undue advantage signed said paper without reading it, or understanding its purport, or its broad & comprehensive terms: at the time respondent so signed said paper, his wife was in the kitchen and on being called came to the door when the plaintiff remarked to her, that he supposed it would be sufficient for respondent to sign her name to said paper, but she neither assented thereto, or dissented therefrom, and respondent thereupon signed her name to said paper and these being the facts of the case respondent says it is not true as alleged by the plaintiff, that his wife



confessed and avowed, and he now prays that the  
plaintiffs Bill be dismissed and respondent awarded  
his costs

Ad. Prolocutor

I do swear that the statements contained  
in the foregoing answer so far as made  
on my own knowledge are true  
and so far as much information  
derived from others I believe them  
true, so help me God.

H. J. Morgan for Respondent

John Ramsey

Subscribed & sworn to before me by

John Ramsey the day of Nov. 1884

J. W. Woodward Jc.

John Ramsey

His { Separate Answer

Solomon D. Hobbs

Filed in Open Court  
by leave thereof

March 26<sup>th</sup> 1885.

J. A. Lyatt & Co.



Salomon D. Hobbs.

vs.

John Ramsey & wife

Plff

Defts

In Chy.

On calling this cause it was announced at the bar and shown by a paper filed in the cause ~~McGibbs~~ (A. 1) that the purchase money had been paid by the Plaintiff to the defendants, and that the defts had executed a deed of conveyance to the plaintiff conveying to him Winifred M. Ramsey's undivided interest in the Campbell grist mill in the proceedings mentioned, but not her interest in the saw mill as provided by a decree in this cause of Nov. 26 1886. It is therefore adjudged ordered & decreed that that the parties herein dismissed the cause struck from the docket.



Solomon D. Hills

27. } Dec 182 final

John Ramsey & wife

Entered O.B. 1149

J. A. Hyatt & Co.

Entered this  
Sept 4 1887.  
J. A. Hyatt



Solomon D. Hobbs.

vs.

John Ramsey & wife

Plff. }  
In Chy }  
Dfts. }

This cause came on this day to be heard on the bill of the plaintiff and exhibits therewith, the answers of the defendants & replication thereto the depositions of witnesses and was argued by counsel. And therefore the parties by their counsel in open court giving their consent thereto the following decree is entered in the cause as a final adjustment of all matters involved. It is adjudged ordered and decreed that the Plff pay the defendant the ten dollars the purchase price of the property in question with such interest as may have accrued thereon. The defendants shall make execute and acknowledge for record a proper deed of conveyance, conveying their undivided interest in the Grist Mill, in the proceedings mentioned, but not of the mill <sup>to the plaintiff</sup> ~~in the proceedings mentioned~~ <sup>right of water race</sup> ~~in the proceedings mentioned~~ <sup>are of water race & dam thereon</sup> ~~in the proceedings mentioned~~ And each party is to pay their own costs & the cause is continued:



Salomon D. Hobbs

as { Decm No. 1

John Ramsey -

Entered 5-75  
J. A. S. Hyatt & Co

We agree this decree

Proclamation Morgan for Debt

Enter this

Nov<sup>24</sup>/1886

In A. K.



Solomon D. Hobbs.

vs.

John Ramsey wife

Pff

Deft

In Chancery

The deposition of John Ramsey, David L. Campbell  
John Campbell taken pursuant to Motion herewith returned  
at Beale Forge Lee County Virginia on the <sup>10th</sup> 12th day of Augt  
1885. which are intended to be read as evidence on the  
part of the defendants in the above styled cause now  
pending in the circuit court of Lee County Va.

The said John Ramsey a witness of lawful age being  
duly sworn deposes and says

First Question by Deft Mr Ramsey please state what interest  
you thought your wife owned in the old Campbell  
Mill at the time you agreed to sell it to the Pff?

Plaintiff objects to defendants testimony, on the  
grounds that defendants evidence is in behalf of his  
wife

Answer, I did not know that she had any interest  
in the same mill, I thought the interest in the <sup>mill</sup> property  
was all the Pffs,

Second Question, Please state what interest it was  
that ~~it was~~ you intended to sell the plaintiff, was  
it your wifes interest in the ~~entire~~ entire mill prop-  
erty including the mill site, or was it her interest only  
in the great mill,

Answer The great mill only, as I knew nothing  
of the other interest being in any way connected with  
her rights until some time after wards, when



(2)

D.C. Campbell gave us the same mill to Plaintiff Hobbs

3 Question by same, Please state as near as you can how long it was after you commenced talking about ~~and~~ <sup>ing</sup> said sale that you first learned that your wife had an interest in the saw mill, and did you at any time offer or talk about selling her interest in the saw mill  
Answer, I suppose it was some three or four weeks ~~after~~ after the trade was made, and as to offering or attempting to sell the saw mill I did not,

Further taking of Depositions postponed until 14<sup>th</sup> at Campbell's or Hobbs' mill

17<sup>th</sup> again assembled. according to agreement at Hobbs' mill on the 17<sup>th</sup> 1893 all parties being present

4 Question by Defendant, During your negotiations with the Plaintiff in reference to said sale, was there any thing said about your wife's interest in the mill seat, or saw mill, or did you ever speak and talk <sup>and</sup> <sup>only</sup> of the grist mill,

Answer, I have said nothing said about the interest any way, the first day

5 Question by same, At the time you signed the written Contract, did you read it or have it read and did you know at that time, that your wife owned an interest in the saw mill,

Answer, I did not read it or have it read

(3)

nor heard it read at that time but have since I did not know at that time she had ~~an interest~~ <sup>an interest</sup> in the saw mill, for the reason that my Father-in-law told me that <sup>he told me</sup> the rest of the Campbells there had given up the saw mill to David C Campbell  
6<sup>th</sup> Question by same, your wife's name appears to be signed to the written Contract filed as an exhibit with the Plaintiff's bill, Please state how her name came to be signed thereto and all the facts and circumstances in relation thereto

Answer, I signed her name to the writing <sup>or bond and</sup> <sup>the</sup> next day after my wife <sup>had</sup> told me she did not want Solomon D Hobbs to have the mill, <sup>the next day</sup> ~~and~~ Hobbs the Plaintiff brought the bond, and handed to me and I called my wife from the Kitchen and when she came to the door I told her here is this bond to sign and she said her head was hurting her so that she was not capable of attending to any business, she said she was so nervous she could not write her name, And Solomon D Hobbs told me that <sup>you</sup> you can write her name, and I did so after my wife disappeared from the room,

7<sup>th</sup> Question by same, Is ten dollars a full and fair price for your wife's interest in the mill seat grist and saw mill or is that sum grossly inadequate

Answer, I think it is, and would not have taken fifty dollars for the site had I have known



(H)

~~my wife~~  
8<sup>th</sup> Question by same, If you had known the written  
Contract was for the mill site great mill and saw-  
mill, would you have signed your name thereto  
Answer I would not

9<sup>th</sup> Question by same, Please state why you did not  
make said <sup>written</sup> contract before putting your name thereto  
Answer, I am a bad hand to read <sup>was</sup> <sup>an</sup> reason, and  
I did not suppose that the contract contained any  
thing more than our contract the day before

10<sup>th</sup> Question by same, Please state as near as you can  
the day month and year your <sup>wife's</sup> mother died,  
Answer, As well as I can recollect she died June  
the 12<sup>th</sup> 1885

11<sup>th</sup> Question by same, Please state whether or not the  
purchase price of Ten dollars has ever been paid and  
whether any tender thereof has ever been made, and if  
so the manner time and place of such tender,  
Answer, The money has not been paid, on or about  
the first days of March 1884 James Hobbs son of John  
and D Hobbs came to my house and pulled out  
his pocket book and said he had the money to lift  
the note I held on John and D Hobbs, and that his father  
was not in a hurry about his debt so it was made  
some time in the near future, he did not show  
the precise amount of money nor do I know how  
much he had

Testimony



## cross examination

1<sup>st</sup> Question by Plaintiff, Mrs Ramsey was it not about the 29<sup>th</sup> of March <sup>1883</sup> that I came to your house and proposed to buy your wife's interest in said mill property?

Answer I think it ~~was~~ <sup>was</sup>

2<sup>nd</sup> Question by same, Did I not tell you that I had bought Ella Campbell's interest in the mill property and would ~~also~~ <sup>also</sup> have come to <sup>your</sup> ~~the~~ wife's interest in the same property and state the best recollection you <sup>have</sup> of the same?

Answer Solomon D Hobbs came to my house and said John I have come to see if there is any trade in your and Minnie (meaning my wife) and I said we are trading Characters, what do you want to trade about, he said he wanted to buy our interest in the old mill, and I told him I had been telling my wife if I was dead would sell it, I said that John Campbell had been there to buy ~~my~~ <sup>in</sup> our interest in the old mill, but John Campbell thought we had two or three shares in the mill and I told him I did not claim any and my wife's interest, and he went off and has not said any thing more about it and I had thought of going some day and seeing said John Campbell and proposing a trade of some kind ~~at that time~~ that the mill was not doing us any good, that we were not getting any grain from the mill, and said Solomon D Hobbs said he had bought Ella Campbell's interest in said mill, and would like to buy your interest, and I said my wife can sell to you if she wanted to, and she <sup>said I would not</sup> that I could if I wanted to, and the words passed between me and my wife several times, and at last I told Mr Hobbs that I would let him have ~~the mill property~~ <sup>it</sup> for ten dollars and pay me the first day of November to meet the payments on my land which was due the first day of November 1883 (Witness



(6)

and he said he could not pay me then but would give  
his note due twelve months from that date and I told  
him I could not do that, that if I could not get the money  
by far it I could not sell it at all if I could not get  
the money to meet the payments on the land I would not  
sell at all, as he said he would give me twenty bushels  
of corn for it, and I told him I would not do that  
but would take corn at two shillings per bushel and  
~~if he would not do that~~ he said he would not do that he would rather  
let me have the corn at the market price, and I told him  
that I would take the corn that way, and he said he would  
give me a note for money which might be paid  
in corn at the market price and he got up and stepped  
out at the door and said if you say so I will give up my  
papers and come up tomorrow and my wife said  
that she received that he can let you have it ~~if you~~  
~~if you will~~ pay him to meet the payments on his land.

3<sup>rd</sup> Question by same, Mr Ramsey did I not tell you that I  
had bought Rutha Hobbs <sup>jun</sup> and Elizabeth Campbell in trust  
in the saw mill the next morning when I came to you  
with the bond, and tell ~~that~~ <sup>you</sup> that I intended to ~~continue~~ <sup>for some</sup> to continue,

Ans I told ~~Mr Hobbs~~ <sup>Hobbs</sup> Mr Hobbs did tell me that  
he had bought Rutha ~~Campbell~~ <sup>Hobbs</sup> and Elizabeth  
Campbells in trust in the saw mill, But he did not  
tell me that he intended to continue for it, he did not  
expect Calvin would give it up,

4<sup>th</sup> Question by same Did I not tell you that if  
I got the saw mill I would like to have some for you  
that same spring,

Answer I think after I signed the bond  
you said you would like to have some for me

5<sup>th</sup> Question by same, Did you not tell me that John  
Campbell owed three dollars and that was about

(7)

as you needed them,

Answer, I did tell you that John Campbell  
owed me three or three and half, <sup>either in 1844</sup> ~~either in 1844~~ for  
suffrage and that I was not able to buy any more stock  
at that time,

6<sup>th</sup> Question by same, Mr Ramsey When I went to your house  
that morning with the bond did I not hand it to  
you and you tried to read it,

Answer you did hand it to me and I ~~did not~~ <sup>did</sup> try  
to read it and ~~did not~~ <sup>did</sup> not,

7<sup>th</sup> Question by same, Did I not read it to you before  
you signed it,

Answer ~~you~~ <sup>you</sup> did not read or offer to read it to  
me,

8<sup>th</sup> Question by same, Did I not tell you I wanted your  
note in trust and would not buy without it,

Answer, such a thing never was named at that  
time,

9<sup>th</sup> Question by same, Have you bought some other stock  
in your mother-in-law's Estate since that time

Answer, I have bought one share in the Estate and  
my Father-in-law's Country in the said Estate

10<sup>th</sup> Question by same, Mr Ramsey please state what you  
gave for these interests

Answer My Father-in-law came to me and said  
he would sell his wife's interest for ten dollars,  
and I told him I would give it,

11<sup>th</sup> Question by same What part of the mill is that  
share you bought of your Father-in-law is it not  
one fifth of one sixth,

Answer, I think it is,

12<sup>th</sup> Question by same Has your Mr Ramsey in this Coun-  
try when D. C. Campbell built the saw mill,



Answer I think I was

13<sup>th</sup> Question by same, What was your understanding about the contract with Mr Campbell, if you made it

Answer My Father-in-law told me that he and the rest of the heirs had agreed to give ~~xxx~~ D. C. Campbell up the saw mill on conditions that D. C. Campbell was to keep the water there at his own expenses and his part of the <sup>goes</sup> ~~saw~~ mill and have the saw mill there to saw any timber for the use of the joint mill free of charge

14<sup>th</sup> Question by same, Mr Ramsey who was the other heirs mentioned with your Father-in-law in this <sup>contract</sup> mill, name them,

Answer Margaret Campbell Elizabeth Campbell, Ella Campbell

15<sup>th</sup> Question by same, Mr Ramsey what was your understanding about this contract, was it written or verbal, contract

Answer I do not know whether it was written or verbal but I understand since it was verbal,

16<sup>th</sup> Question by same, Did I understand you to state in a former question that at the time <sup>you</sup> ~~the~~ signed the deed that <sup>you</sup> ~~the~~ reserved <sup>your</sup> ~~the~~ <sup>your</sup> ~~the~~ interest in the saw mill,

Answer, I did the same day before I signed the deed,

John Ramsey



(9)

The Deposition of Campbell a witness of lawful age after being duly sworn Deposes as follows  
1<sup>st</sup> Question by defendant, Mr Campbell are you acquainted with what is known as the old Campbell mill property if so please state what the same is reasonably worth taking into consideration the mill site gristmill and sawmill in the condition they were in, in March 1888 and what would be a reasonable fair price for one full claim thereon,

Answer, I am well acquainted with said property and believe, the said property, to be worth at that time ~~I would not properly be willing to give~~ same three hundred dollars,

2<sup>nd</sup> Question by same, Mr Campbell what was the income of the said saw and grist mills per year  
Answer I suppose it would have been worth at the time mentioned some thing near one hundred and eighty dollars clear of all expenses per year further this deponent says in net,

D. C. Campbell  
<sup>his</sup>  
<sub>mark</sub>

Postponed until 18<sup>th</sup> instant at Habbs & D shops 1 o'clock

The parties having met according to previous appointment by Plaintiff and Defendant and the following Depositions were taken

John C Campbell of lawful age after being duly sworn Deposes as follows for Defendant  
1<sup>st</sup> Question by Defendant Mr Campbell are you acquainted with the mill known as the old Campbell mill

Answer I am

2<sup>nd</sup> Question <sup>by same</sup> Mr Campbell at what what do you



Think the sawmill would save in a day well attend  
 clear to

Answer some where about 8 hundred feet,

3<sup>rd</sup> Question by same Mr Campbell what portion of the  
 year will the mill save ~~next~~ owing to water &

Answer About 3 months in the year,

4<sup>th</sup> Question by same, Please tell us what you think the  
 greatest mill <sup>will</sup> make in the year,

Answer I think that two bushels per week would  
 be as much as it would make,

Cross examinations by Plaintiff

1<sup>st</sup> Question of Plaintiff, Mr Campbell what was the  
 condition of the gristmill at the time referred  
 to

Answer I considered it in very bad condition  
 owing to the age and rotten condition of the frame  
 work,

2<sup>nd</sup> Question by Plaintiff What condition was the dam  
 in, at that time,

Answer It was in bad condition it would often  
 break through with the weight of a man,

5<sup>th</sup> Question by defendant Ramsey, Mr Campbell please  
 state what that millsite and both mills would  
 be worth <sup>in</sup> your situation as I am with timber to  
 save. I own my wife's interest

Answer I believe from the price I got for ~~the~~ <sup>one</sup>  
 thing of the said property that Mrs Ramsey's part  
 would be about twenty three dollars

6<sup>th</sup> Question by same Mr Campbell if you were actu-  
 ally as I am with building to do and timber of  
 my own and an interest in the mill what would

you be willing to take for said interest, or what  
 would it be worth to you,

Answer, I think about Twenty three dollars  
 further this defendant says not

John E. Campbell

Are & agreements made and entered into between  
 Solomon D. Hables Plaintiff and John Ramsey Defen-  
 ant, as follows that is to say, They agree to take Deposi-  
 tions in this cause on both <sup>sides</sup> for the plaintiff and Defen-  
 ant without any further notice waiving all rights  
 as to further notice that all depositions taken from day  
 to day and place to place until finished and when  
 they are through with said Depositions, ~~to state to~~  
~~by the consent of both parties~~, They shall be read with  
 objections by either parties as to the usual forms of  
 notice & in taking Depositions, And they shall be  
 closed by agreement of <sup>each</sup> party,

Verdona

Lee County to wit

This is to certify that  
 the above Depositions were taken at the  
 times and places above specified and that  
 the Plaintiff and defendant were present up-  
 on each occasion Given under my hand and  
 seal this the 18<sup>th</sup> day of August 1885

Lee S. Fullerton J.P. Seal



John Ramsey & wife  
ads  $\frac{1}{3}$  Depo  
Solomon D. Hobbs

---

Rec'd. by mail in good  
order, from the Justice  
before whom taken &  
filed Aug. 21<sup>st</sup> 1885.

J. A. Syatt & Co

J. P. fee - - - \$7.12  $\frac{1}{2}$



(1)

The following Depositions of Ella Campbell and James H. Hobbs as Witnesses for Plaintiff are introduced to be read as evidence in the Cause of Solomon D Hobbs Plaintiff and John Ramsey and wife as <sup>Defendants</sup> ~~Plaintiffs~~, in the Chancery Court of Lee County Virginia

~~At the~~ ~~1st~~ Ella Campbell having been first duly sworn deposeth and saith as follows that is to say, her age is 59 years this day  
1<sup>st</sup> Question by Plaintiff, Miss Campbell was it understood by you that the Campbell heirs had an interest in the Old Germania Campbell saw mill if they claimed it,

Answer Yes

2<sup>nd</sup> Question, did you Miss Campbell sanction or agree to the verbal contract made by Eliza Hobbs with David C Campbell, as to rebuilding the saw mill,

Answer I did

3<sup>rd</sup> Question did David C Campbell refuse to pay any part of the repairs on that <sup>grind</sup> ~~saw~~ mill at the time you implorad me to repair the ~~saw~~ <sup>saw</sup> mill

Answer He did,

Question, At the time I bought your interest you sold me your intine in the saw and grind mill,

Answer I sold my entire interest to you



(2)

1<sup>st</sup> Questions by defendant, Did you Miss Campbell go in person to David C. Campbell ~~in person~~ and ask him to pay part of the repairs of said mill

Answer, Not that I recollect of,

2<sup>nd</sup> Question Miss Campbell did you or not <sup>long</sup> before you sold your interest in said mill to Foster Hobbs go to David C. Campbell and give up your interest in said mill

Answer David C. Campbell was to keep the mill down in order and to furnish any timber sawed for the repairing of the grist mill if I and the rest of my sisters would give up our interest in the saw mill, and we did so

3<sup>rd</sup> Question, did you or not tell me that after you sold the ~~saw~~ <sup>mill seat</sup> ~~mill~~ to Mrs Hobbs that you did not know you had any interest in the saw mill,

Answer, I do not recollect,

Question by Plaintiff, Miss Campbell <sup>you</sup> do recollect at any time of having any conversation with John Ramsey and his wife concerning David C. Campbell failure to comply with his contract  
Answer I do not,

Question did you ever have any talk with David C. Campbell as to helping to repair ~~the~~ the mill

Answer I did and he said that he never expected to strike another lick on it to help to keep it up,

Question by defendant, Miss Campbell

(3)

when you went to David C. Campbell did you want to repair the old mill or did you want to run works halting cloaths something and so,

Answer, I told David C. Campbell if the rest of the party would get a something and make other repairs I would buy the halting cloaths myself and he said he would not do anything ~~with~~ with it,

Further this deponent repeats that  
Ella Campbell  
marks

Postponed until Friday 1 August 1885

Parties have again met according to agreement this the 7<sup>th</sup> day of August 1885

And James Hobbs witness for plaintiff being duly sworn deposes and says he is 28 years old

1<sup>st</sup> Question Mr Hobbs was you present when Mr Ramsey came to the shop to see me about the pay for the mill he bought of me,

Answer, I was there at one time, I suppose the time referred to,

2<sup>nd</sup> Question The day Mr Ramsey came to the shop and asked me for the pay for the mill did he agree that the next day would do to pay the money

Answer, my recollection is that Mr Ramsey said in the morning <sup>he would</sup> ~~do~~ do

3<sup>rd</sup> Question Did you not take the money the same evening <sup>to Ramsey</sup> of the day Ramsey was at the shop,

4<sup>th</sup> Question What did Mr Ramsey say when you offered him the money



Ans, I did,

1<sup>st</sup> Question What did Mrs Ramsey say when you offered him the money

Answer, Mrs Ramsey was at his table, and would not receive the money, but said what ever my wife does will be right,

5<sup>th</sup> Question, Did you offer the money to his wife that day,

Answer I did,

6<sup>th</sup> Question What was Mrs Ramsey's reply when you offered her the money,

Answer, Mrs Ramsey said she would receive the money if I would pay for the expenses of the deed,

7<sup>th</sup> Question did you not the next morning go a gain with some one else and count the money and ~~offer~~ offer to them Booth, Ramsey and his wife

Answer, I did,

Questions by defendants

1<sup>st</sup> Question, Mr Hobbs at the time we were in the shop yard was your father present,

Answer, He was not at first but came before Mr Ramsey left,

2<sup>nd</sup> Question Mrs Hobbs did you ever her son ask for any thing that was coming to <sup>my wife</sup> ~~her~~ for that mill property,

Answer, I do not

Salomon Hobbs



3<sup>rd</sup> Question, Do you recollect when this conversation took place between you and I,  
 Answer, I do not,

4<sup>th</sup> Question Do you recollect if this was about the time the note was due that I held on your Father Solomon D. Hobbs,

Answer, I do not know,

5<sup>th</sup> Question, Do you recollect Mr Hobbs when you came to my stable. When you wanted me to make the deed to this mill to, And <sup>to</sup> whom.

Answer, I do, And asked you to make it to my Brother Charles Hobbs or my Father Solomon D Hobbs I did not care which

6<sup>th</sup> Question Do you recollect what my answer was in making your Brother Charles Hobbs the deed,  
 Answer, I do not know what your exact answer was, but know you refused to make <sup>the deed</sup> to Brother Charles.

7<sup>th</sup> Question, Did I not tell you Mr Hobbs at the stable the time referred to, that if my wife would <sup>make</sup> this deed I would sign it,

Answer, ~~you told me to go and see your wife and if she would~~ Answer I do not recollect,

8<sup>th</sup> Question, Did you not tell me at the time you came to me at the stable that you had the money ready to pay me and my wife any time we would make the deed?

Answer, I did

9<sup>th</sup> Question, Did you at the time you came to my stable



show me any money

Answer, ~~the money~~ <sup>recalled that</sup> I do not, I did,

10<sup>th</sup> Question, did you that same evening when going to see my wife at the house offer her any money

Answer, I did not,

11 Question, Do you recollect the evening you was at my house in conversation with my wife what she said <sup>to you</sup> concerning making the deed, please relate the same

Answer, Mrs Ramsey said that as my Father Galerman & Hobbs had had the mill in use some time, that he ought to be at the expense of the deed and that ~~if <sup>the</sup> Ramsey was what ever Mrs Ramsey did was all right~~

12<sup>th</sup> Question, Did you not the next morning come to my house ~~the next morning~~ <sup>and pull out your pocket book</sup> and tell me that you <sup>just</sup> wanted to show me <sup>you had the</sup> that money to make the deed to your Father,

Answer, I offered the money by putting out my pocket book and offered the money for the note if said Ramsey would make the deed to the ~~mill~~, my Father for the mill,

13<sup>th</sup> Question, How much did your father owe me for the mill at that time,

Answer, I do not know,

14<sup>th</sup> Question, did you count out the money and present to myself or my wife to lift that note,

Answer, I counted out ten dollars and presented to Mrs Ramsey and wife to lift the note but cannot tell the amount of the note, for I never saw it,

15<sup>th</sup> Question, In what way did you make a tender of this money,

Answer, I offered the money in my hand two or three ~~that morning~~ <sup>times</sup>, and begged you to take it and give up the note and make the deed,

16<sup>th</sup> Question, did you get up and step to me or my wife with your hand extended and tender us the money

Ans, I do not recollect,

17<sup>th</sup> Question, Mr Hobbs did I not tell my wife that morning when you came to my house and pulled out your pocket book to pay the note, that she had better make your Father the deed that he was going to sue us,

Answer, That is my recollection,

18<sup>th</sup> Question, Did I not tell you at the time we were at your Father's shop that I had come several times for that money and every time I went home my wife told me she would not make the deed that your Father Galerman & Hobbs had not complied with his contract, And did you not ask if it would not do in the morning And did I not say it may be it will,

Answer, you ~~said~~ <sup>did</sup>, is my recollection,

19<sup>th</sup> Question, Mr Hobbs did your Father give you money sufficient to lift that note principle and interest

Answer, Charles H Hobbs gave me ten dollars to pay you but whether that amount was sufficient to cover principle and interest or not I cannot tell Further this deponent says - not

James H Hobbs



See coming to wit

This is to certify that the above  
named witnesses ~~and~~ plaintiff and defend-  
ant John Ramsey were present at the place  
and times above named in the notes and  
the depositions were duly taken according to law  
Given under my hand and seal  
August the 7<sup>th</sup> 1885-

See S. Fullersone, J.P. (Seal)

Salomon D. Stoll

23 Deho

John Ramsey

Recd by mail in  
good condition &  
filed Aug. 18<sup>th</sup> 1885-

J. S. Stoll  
J. S. Stoll  
2.0.

2.00 for Deho & 4.52  
Leach 1.00



all of the county of Lee and State of  
Virginia

This indenture made and entered in to  
between John Ramsey and Winford Ramsey  
of the first part and S D Hobbs of the 2<sup>d</sup> part  
Witnesseth that the said Ramsey and Winford  
Wife has this day bargained and sold and  
delivered to said Hobbs their interest entire  
to the mill property owned by the James  
Campbell heirs of which said Winford's mother  
was one of said heirs in consideration  
the some of ten dollars to be paid by the  
1<sup>st</sup> of May next in consideration of  
such payment we bind our selves him &  
in the some of \$20 dollars to make said Hobbs  
a general warrantee deed in witness whereof  
we have herunto set our hands and seals  
this the 30<sup>th</sup> day of March 1883

John Ramsey Seal  
Winford M Ramsey Seal



"A"



Salmon D. Hobbs

Pff

25

In Oby

John Ramsey Poise Dfto }

It is hereby mutually agreed that the Peff has paid the debt. the purchase money due him in the cause, and that the debts have made the deed of conveyance satisfactory to the Peff and that all matters of controversy between the parties have been fully settled. April 3rd 1888.

Solomon D Hobbs

John Ramsey  
Minneapolis Ramsey

Singapore & M. Ramsey



Salman D Hobbs.

m. { agreement

John Ramsey wife

(AB)



For taking Depositions in the said <sup>Cause</sup> of Hobbs  
and Ranney first day one hour and half  
o'clock

\$ 1.25

And on Friday the 4<sup>th</sup> 4 hours

3.00

Expenses for witness

25-

Postage stamps

2

\$4.52

The above is just and amounts

Lee, S. Fullerton, J. D.



Bill of Costs  
in, Hobbs  
vs

Ramsay

---



Virginia Lee County to wit

To 2<sup>nd</sup> J<sup>rs</sup> <sup>RE</sup> Caddis Constable of said County

I Lie & Fulkerson a justice of <sup>the</sup> said County do command  
and give that ~~if~~ ~~the~~ you summons James H. Hobbs  
Electra Hobbs ~~and~~ <sup>and the heirs of Elizabeth Campbell</sup> Elly Campbell to appear before me  
or such justice as may then be there to give evidence  
in the Cause of Solomon D. Hobbs is plaintiff and John  
Ramsey & wife are Defendants on the 3<sup>rd</sup> day of August  
1885 at Lees Forge in Lee County to testify and the truth  
to say in behalf of Solomon D. Hobbs in a certain  
matter of Controversy depending and undetermined  
in the Chancery Court of Lee County between Solomon D.  
Hobbs and John Ramsey & Wife and there <sup>from</sup> and there this  
summons herein fail you not, Given under my  
hand and seal this the 1<sup>st</sup> day of August 1885-

Lie & Fulkerson, J.P. Seal



Summons for  
James Hobbs &  
Others,  
Solomon D. Hobbs  
vs

John Ramsey & Wife

Executed according  
to law July the 3<sup>rd</sup>  
1883- J. R. Edds com



To John Ramsey & Winifred Ramsey his wife.  
You will please take notice that on the  
3rd day of August 1885. at Bales Forge in Lee  
County Va. I will proceed to take the depositions  
of James Hables & others, which depositions are  
intended to be read as evidence in any behalf  
in a suit in chancery now pending in the  
Circuit Court of Lee County Va. in which I  
am plaintiff and you are defendants, and  
if from any cause the taking of said depositions  
be not commenced, or if commenced be not  
completed on that day. the taking of said  
depositions will be adjourned from time to  
time and from place to place until completed.  
Given under my hand this July 21st 1885.  
Solomon D. Hables.  
by Counsel.



Salomon D. Halles.

Notice.

John Ramsey & wife

---

3rd August 1885.

We accept legal service  
of the within notice.  
July 21st 1885.

Richardson & Morgan  
for clerks.



Mr Solomon D. Hobbs.

15<sup>th</sup>

You will please take notice that on the 15<sup>th</sup> day of  
Augt 1885 at Lees Forge Lu 100 10<sup>th</sup> we will  
proceed to take the depositions of John Ramsey D. Campbell  
& John Campbell which when taken are intended  
to be used as evidence on our behalf in a certain chancery  
suit now pending in the circuit court of San County Vir-  
ginia in which you are plaintiff and we are  
defts. and if said depositions are not completed on the  
day designated the same will be adjourned from day to day  
time to time & place to place till completed <sup>this 10 day of Augt.</sup> ~~Augt.~~ 1885

John Ramsey  
Winifred Ramsey.

By Counsel



Mr A. J. Hyatt

I have been engaged in these Depositions a while & I have been unable to ascertain what it is worth. The other Depositions for Hable & Charge are 75 cents per hour, and it may be very please correct them if they are, and please put these at their careful price, which is 9 1/2 hours engaged in the taking. I am signed by name if necessary.

Lee S. Fulkerson



# THE COMMONWEALTH OF VIRGINIA.

To The Sheriff Of Lee County Greeting :

We Command You to Summon

*John Ramsey*  
& *Minaford M. Ramsey* his wife

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

*June* next being rule day to answer a bill in Chancery exhibited in our said Court against *them*

by

*S. D. Hobbs.*

And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This

*12<sup>th</sup>*

day of

*May*

1884, in the 10

*8*

year of the Commonwealth.

*J. A. G. Hyatt* Clerk



(R. D. H.)

S. D. Hobbs

vs  $\frac{3}{3}$  Spain Chey

John Ramsey wife

To June Rules 1884

Executed.

S. H. Ewing D.S.

for R. D. Manary D.L.

June 2<sup>d</sup> 1884